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Of Attorneys for Plaintiffs

CHIMPS, INC., INTERNATIONAL PRIMATE

PROTECTION LEAGUE and MARGUERITE GORDON

## UNITED STATES DISTRICT COURT

## DISTRICT OF OREGON

**CHIMPS, INC., INTERNATIONAL  
PRIMATE PROTECTION LEAGUE, and  
MARGUERITE GORDON,****Plaintiffs,****v.****PRIMARILY PRIMATES, INC.****Defendant.****Case No. 07-6149-HO****DECLARATION OF PAULA  
MUELLNER IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
DEFENDANTS' MOTION TO DISMISS,  
OR IN THE ALTERNATIVE, TO  
CHANGE VENUE**

I, Paula Muellner, declare as follows:

1. I am the Executive Director of Chimps, Inc., an animal sanctuary in Bend,

Oregon. I have a Masters of Science in Ecology, and have been working in animal rescue for

**Page 1 - DECLARATION OF PAULA MUELLNER IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, OR IN THE  
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nearly seven years. At Chimps, Inc., I oversee the daily care, nutrition, and sanctuary for eight chimpanzees and two big cats, and supervise Chimps, Inc.'s staff. I make the statements here based on personal knowledge and could and would testify to same if called upon to do so.

2. Chimps, Inc.'s primary mission is to provide lifetime care and protection to chimpanzees and big cats in need of permanent homes and to educate the public about chimpanzee conservation.

3. When Chimps, Inc. learned about the plight of Emma and Jackson, two chimpanzees at Primarily Primates, Inc. ("PPI"), Chimps, Inc. offered to provide sanctuary and care to them. Chimps, Inc. personnel made three visits to PPI's facility, where they found Emma and Jackson in substandard conditions of neglect.

4. Chimps, Inc. agreed to adopt, rescue, and rehabilitate Emma and Jackson.

5. Chimps, Inc. entered into the Animal Transfer Agreement with PPI's Receiver with the understanding and intention that Chimps, Inc. would provide for lifetime care, housing and medical expenses for Emma and Jackson.

6. When Chimps, Inc. entered into the Animal Transfer Agreement with PPI's Receiver, Chimps, Inc. agreed to pay for the costs of transport as well as any new construction required for the chimpanzees.

7. Chimps, Inc. keeps detailed records of historical data with respect to the cost of care for the chimpanzees at Chimps, Inc.'s sanctuary. Based on that data, I believe Chimps, Inc. spends approximately \$1,480 each month to care for a single chimpanzee. The annual cost for a single chimpanzee averages \$17,760; for Emma and Jackson, the annual cost is approximately \$35,520.

8. Emma and Jackson are each expected to live a minimum of forty more years. Based on the cost of annual care and their ages, Chimps, Inc. will spend no less than \$1,420,800 to care for Emma and Jackson. Thus, when Chimps, Inc. entered into the Animal Transfer Agreement with PPI, it entered into a contract valued at a minimum of \$1,420,800 to care for Emma and Jackson. Thus, when Chimps, Inc. entered into the Animal Transfer Agreement with PPI, it entered into a contract valued at a minimum of \$1,420,800.

9. When Chimps, Inc. contracted to provide lifetime care for the chimpanzees, it assumed the contract was worth at least \$1,420,800 to Chimps, Inc.

10. Based on its dedication to protecting the lives of animals, Chimps, Inc., valued the contract far in excess of \$1,420,800.

I declare under penalty of perjury under the laws of the United States that these facts are true and correct and that this Declaration is executed this 31<sup>st</sup> day of August, 2007, at Bend, Oregon.

DATED: August 31, 2007

By:   
Paula Muellner

s/ Bruce A. Wagman  
BRUCE A. WAGMAN  
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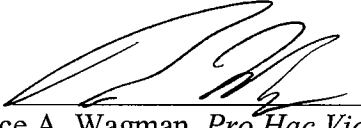
## CERTIFICATE OF SERVICE

I certify that on September 4, 2007, I served or caused to be served a true and complete copy of the foregoing **DECLARATION OF PAULA MUELLNER IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, OR IN THE ALTERNATIVE, TO CHANGE VENUE** on the party or parties listed below as follows:

- ☒ Via CM/ECF Filing  
☐ Via First Class Mail, Postage Prepaid  
☐ Via Facsimile  
☐ Via Personal Delivery

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